

COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
SUPREME COURT BUILDING
WASHINGTON, D. C. 20544

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REPORT

TO THE JUDICIAL CONFERENCE OF THE UNITED STATES:

Your standing committee and its advisory committees have continued their work during the past six months. The work will be aided by the recent appointment by the Chief Justice of Professor Bernard J. Ward, former reporter to the Advisory Committee on Appellate Rules, as reporter to our standing committee.

Civil Rules

The Advisory Committee on Civil Rules is continuing to receive comments and suggestions from the bench and bar on the tentative draft of revised discovery rules which were published in November 1967. The Committee hopes to complete its consideration of these suggestions and comments during the coming winter and to present a definitive draft to our committee in the spring.

Criminal Rules

The Advisory Committee on Criminal Rules is continuing to study those phases of criminal procedure on which it has not heretofore reported, particularly the arraignment and other pre-

trial procedures and the Committee will meet at the end of this month to give further consideration to these problems.

Admiralty Rules

The Advisory Committee on Admiralty Rules, with the assistance of its newly appointed reporter, Professor Preble Stolz, is giving consideration to the operation of the unified civil rules with respect to maritime cases and is also studying the supplemental admiralty rules with a view to their improvement and enlargement, if needed.

Bankruptcy Rules

The Advisory Committee on Bankruptcy Rules is working very hard and holding frequent meetings on its major task of preparing uniform rules of procedure not only for normal bankruptcy cases but also for proceedings brought under the reorganization and adjustment provisions of chapters 10, 11, 12 and 13 of the Bankruptcy Act. To study and report to the Advisory Committee proposed procedural rules under these chapters Professors Lawrence P. King and Vern Countryman have been appointed associate reporters to the Committee. Professor Frank R. Kennedy continues as reporter in general charge of the work but with special responsibility for the procedure in ordinary bankruptcy cases. The Committee is also reviewing the provisions of the Bankruptcy Act to determine which of them will be superseded by the new bankruptcy rules and should accordingly be repealed in the interest of simplicity and clarification of the procedural law.

Appellate Rules

The Advisory Committee on Appellate Rules has completed its assignment, the Federal Rules of Appellate Procedure which it formulated having been adopted by the Supreme Court and having gone into effect July 1, 1968. Suggestions which may be received by our committee for the improvement of these rules in the light of their actual operation will, of course, be given full consideration and amendments will be proposed if and when it appears they are needed.

Rules of Evidence

The Advisory Committee on Rules of Evidence is holding frequent meetings and is hard at work on the very large task assigned to it. Its tentative draft of uniform rules of evidence is nearing completion and it is hoped that the draft will be ready for publication and public discussion within the next six months.

On behalf of the Committee,

September 3, 1968

Albert B. Morris
Chairman